

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: MAT FIVE SECURITIES LITIGATION

:
: **MEMORANDUM and**
: **ORDER**

:
: 08 Civ. 4152 (NRB)
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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

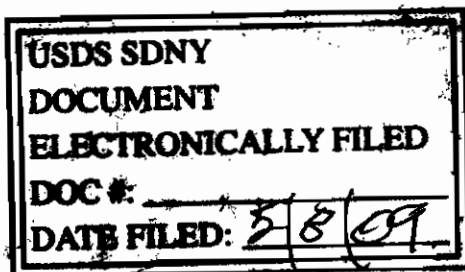
WHEREAS defendants filed a motion to dismiss on December 4, 2008; and


WHEREAS all parties agree that the outcome of pending litigation in the Supreme Court of Delaware in a parallel case may moot this action; it is hereby

ORDERED that defendants' motion to dismiss is denied without prejudice to renewal if the outcome of the pending Delaware litigation does not moot this case; and it is further

ORDERED that defendants' time to answer or otherwise move is adjourned, sine die.

Dated: New York, New York
May 7, 2009




NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

A copy of the foregoing Order has been mailed on this date to the following:

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